

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MARK ALLEN SILVA,

Plaintiff,

v.

LEWIS COUNTY PROSECUTOR'S
OFFICE,

Defendant.

CASE NO. 3:24-cv-05504-TMC-GJL

ORDER GRANTING MOTION TO
PROCEED *IN FORMA PAUPERIS*
AND DIRECTING INSTITUTION
TO CALCULATE, COLLECT, AND
FORWARD PAYMENTS

Plaintiff Mark Allen Silva is a state prisoner proceeding *pro se* in this civil rights action filed pursuant to 42 U.S.C § 1983. The Court, having reviewed Plaintiff's Motion to Proceed *In Forma Pauperis* ("IFP"), hereby finds and **ORDERS** as follows:

(1) Plaintiff's declaration indicates he is unable to afford the Court's filing fee or give security therefore. Accordingly, Plaintiff's IFP Motion (Dkt. 1) is **GRANTED**. As set forth below, an initial partial filing fee will be collected, and Plaintiff is thereafter required to make monthly payments of 20 percent of the preceding month's income credited to his account until the full amount of the filing fee is satisfied.

1 (2) Pursuant to 28 U.S.C. § 1915 and Plaintiff's approved IFP status, the agency
2 having custody of the above-named Plaintiff is directed to calculate an initial partial filing fee
3 equal to 20 percent of the greater of either: (a) the average monthly deposits to the prisoner's
4 account or (b) the average monthly balance in the prisoner's account for the 6-month period
5 immediately preceding the date of this Order. The initial partial filing fee should be forwarded to
6 the Clerk of Court as soon as practicable.

7 For each subsequent month, the agency having custody of the prisoner is directed to
8 collect and forward payments equal to 20 percent of the prisoner's preceding month's income
9 credited to the prisoner's account if the prisoner's account exceeds \$10.00. If the monthly
10 payment would reduce the prisoner's account below \$10.00, the agency should collect and
11 forward only that amount which would reduce the prisoner's account to the \$10.00 level. Please
12 note this \$10.00 limit does not apply to the initial partial filing fee described above. Finally, the
13 monthly payments should be collected and forwarded to the Court until the entire filing fee
14 (\$350.00) for this matter has been paid.

15 (3) The Clerk is directed to send a copy of this Order to Plaintiff, to the financial
16 officer of this Court, and to the agency having custody of Plaintiff.

17 Dated this 16th day of August, 2024.

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19 A handwritten signature in black ink, appearing to read 'Grady J. Leupold', is written over a solid black horizontal line.

20 Grady J. Leupold
21 United States Magistrate Judge
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